

House File 302 - Introduced

HOUSE FILE 302

BY HAGER

A BILL FOR

1 An Act relating to the crossing of highways by all-terrain
2 vehicles and off-road utility vehicles, and making a penalty
3 applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.234A, subsection 1, Code 2017, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *g.* The all-terrain vehicle is crossing the
4 highway pursuant to section 321I.10, subsection 5.

5 Sec. 2. Section 321I.10, subsection 5, Code 2017, is amended
6 by striking the subsection and inserting in lieu thereof the
7 following:

8 5. An all-terrain vehicle or off-road utility vehicle
9 may make a direct crossing of a highway provided all of the
10 following occur:

11 *a.* The crossing is made at an angle of approximately ninety
12 degrees to the direction of the highway and at a place where no
13 obstruction prevents a quick and safe crossing.

14 *b.* The all-terrain vehicle or off-road utility vehicle is
15 brought to a complete stop before crossing the shoulder or main
16 traveled way of the highway.

17 *c.* The driver yields the right-of-way to all oncoming
18 traffic which constitutes an immediate hazard.

19 *d.* In crossing a divided highway, the crossing is made only
20 at an intersection of such highway with another public street
21 or highway.

22 *e.* The crossing is made from a street, roadway, or highway
23 designated as an all-terrain vehicle trail by a state agency,
24 county, or city to a street, roadway, or highway designated
25 as an all-terrain vehicle trail by a state agency, county, or
26 city.

27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 Under current law, the department of transportation (DOT)
31 may issue a permit to a state agency, a county, or a city to
32 allow an all-terrain vehicle trail to cross a primary highway.
33 The trail crossing must be part of an all-terrain vehicle trail
34 designated by the state agency, county, or city. The DOT may
35 issue a permit only if the crossing can be accomplished in a

1 safe manner and the crossing allows for adequate sight distance
2 for both motorists and all-terrain vehicle operators.

3 This bill strikes that provision and provides that an
4 all-terrain vehicle or off-road utility vehicle may make a
5 direct crossing of a highway if the crossing is made at an
6 angle of approximately 90 degrees to the direction of the
7 highway and at a place where no obstruction prevents a quick
8 and safe crossing; the all-terrain vehicle or off-road utility
9 vehicle is brought to a complete stop before crossing the
10 shoulder or main traveled way of the highway; the driver yields
11 the right-of-way to all oncoming traffic which constitutes an
12 immediate hazard; in crossing a divided highway, the crossing
13 is made only at an intersection of such highway with another
14 public street or highway; and the crossing is made from a
15 street, roadway, or highway designated as an all-terrain
16 vehicle trail by a state agency, county, or city to a street,
17 roadway, or highway designated as an all-terrain vehicle trail
18 by a state agency, county, or city.

19 The scheduled fine for a violation of the bill is \$50.